

REMARKS

In the Office Action dated February 20, 2003, the Examiner required restriction to one of the following inventions:

I. Claims 1-7, 9-10, and 12-16 (each in part), drawn to a method for promoting the survival, growth, proliferation, or maintenance of mammalian neurons comprising administering to the neurons an effective amount of a purified polypeptide comprising SEQ ID NO:4 wherein the neurons are motoneurons;

II. Claims 1-5, 7-9, and 15-16 (each in part), drawn to a method for promoting the survival, growth, proliferation, or maintenance of mammalian neurons comprising administering to the neurons an effective amount of a purified polypeptide comprising SEQ ID NO:4 wherein the neurons are spinal cord neurons in an injured but not severed spinal cord;

III. Claims 1-5, 7-9, and 15-16 (each in part), drawn to a method for promoting the survival, growth, proliferation, or maintenance of mammalian neurons comprising administering to the neurons an effective amount of a purified polypeptide comprising SEQ ID NO:4 wherein the neurons are spinal cord neurons in a severed spinal cord;

IV. Claims 17-23, 25, and 28-32 (each in part), drawn to a method for promoting the survival, growth, proliferation, or maintenance of mammalian neurons comprising administering to the neurons an effective amount of a purified polypeptide comprising SEQ ID NO:3 wherein the neurons are motoneurons;

V. Claims 17-21, 23-24, 26, 29, and 31-32 (each in part), drawn to a method for promoting the survival, growth, proliferation, or maintenance of mammalian neurons comprising administering to the neurons an effective amount of a purified polypeptide comprising SEQ ID NO:3 wherein the neurons are spinal cord neurons in an injured but not severed spinal cord;

VI. Claims 17-21, 23-24, 26, 29, and 31-32 (each in part), drawn to a method for promoting the survival, growth, proliferation, or maintenance of mammalian neurons comprising administering to the neurons an effective amount of a purified polypeptide comprising SEQ ID NO:3 wherein the neurons are spinal cord neurons in a severed spinal cord;

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VII. Claims 33 an 34 (each in part), drawn to a method for promoting the differentiating neural stem cells into neural cells comprising administering to the neurons an effective amount of a purified polypeptide comprising SEQ ID NO:3; and

VIII. Claims 33 an 34 (each in part), drawn to a method for promoting the differentiating neural stem cells into neural cells comprising administering to the neurons an effective amount of a purified polypeptide comprising SEQ ID NO:4.

Accordingly, Applicants elect Invention I (Claims 1-7, 9-10, and 12-16 (each in part)) in response to the restriction requirement. In addition, claims 1 and 16 are amended, replacing the term "neurons" with the term "motoneurons" to reflect the restriction to Invention I.

Applicants respectfully traverse and request reconsideration of the restriction of claims 8 and 11 to Inventions II and III in view of the foregoing amendments, which limits dependent claims 8 and 11 to spinal motoneurons. Thus the methods of claims 8 and 11 are not functionally or physically distinct from the methods of Invention I.

In addition, the Examiner required an election of one of the following species of medical conditions for Invention I:

- a. Peripheral nerve injuries;
- b. Musculoskeletal disorders;
- c. Spinal cord injuries;
- d. Head injuries;
- e. Strokes;
- f. Neuromuscular degenerative diseases;
- g. Amyotrophic lateral sclerosis;
- h. Spinal muscular atrophy;
- i. Peripheral neuropathy;

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- j. Inhibition of scar formation;
- k. Diabetic peripheral neuropathy;
- l. Peripheral neuropathy resulting from AIDS;
- m. Peripheral neuropathy resulting from radiation treatment for cancer;
- n. Multiple sclerosis;
- o. Muscular dystrophy;
- p. Myasthenia gravis; and
- q. Sensory neuronal function disorders.

Applicants elect species a, peripheral nerve injuries, for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Examiner identified claim 54 as being generic, however claim 54 is not currently pending in the application. Accordingly, Applicants respectfully request clarification from the Examiner regarding the identity of the generic claim(s).

Accompanied herewith is a Petition for Two Month Extension of Time. The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 50-0337.

Should there be any questions, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,



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